

C O P Y

1954

Feb. 18

Mr. D. H. Richards
Director of Admissions
University of New Hampshire
Durham, New Hampshire

Dear Mr. Richards:

In a letter of February 5, 1954 you ask our opinion whether a certain student may be deemed a non-resident and thus be required to pay the tuition rate applicable to such class of persons.

Upon an examination of your letter the question appears to resolve itself simply to whether the fact that the student's mother has a summer home in Pittsfield and is registered as a voter there compels the finding that the student is a resident of the State. We answer in the negative.

The evidence that a parent owns a home in the State and is registered as a voter here has, of course, a tendency to show that the student is a resident of the State. But the University, as well as the student, is entitled to have viewed all of the evidence applicable to the case. Other evidence may well in the opinion of the classification authority entirely overcome the inference arising from home ownership and registration as a voter. Home ownership and registration have no such legal qualities as conclusively to prove residence for tuition purposes. Despite such evidence, then, the Committee may find that the student is a non-resident.

Very truly yours,

Warren E. Waters
Deputy Attorney General

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